

Serial No.01
Regular List

HIGH COURT OF MEGHALAYA
AT SHILLONG

WP(C). No. 37 of 2023

Date of Order :28.02.2023

Shri. Emon Marap

Vs.

State of Meghalaya & Ors.

Coram:

Hon'ble Mr. Justice H.S.Thangkhiew, Judge.

Appearance:

For the Petitioner/Appellant(s) : Mr. P.K.Borah, Adv.

For the Respondent(s) : Mr. N.D.Chullai, AAG with
Ms. R.Colney, GA.

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| i) | Whether approved for reporting in
Law journals etc: | Yes/No |
| ii) | Whether approved for publication
in press: | Yes/No |

ORAL

1. The writ petitioner who is presently posted as the Deputy Commandant, 4th MLP Battalion at West Khasi Hills, Nongstoin, is before this Court being aggrieved with a letter dated 17th February, 2023, wherein the respondent No. 3, the Superintendent of Police (DSB), West Khasi Hills, Nongstoin had requested the Inspector General of Police (HQ/Admn.), to replace the petitioner by another Officer to conduct the election duty, due to certain habits that the petitioner is stated to possess.

2. Mr. P.K.Borah, learned counsel for the petitioner submits that the said letter has been authored by an Officer who has no authority and furthermore, has cast severe aspersions on the conduct and behavior of the petitioner. He prays that orders may be passed by this Court to set aside the said letter and to cause for explanation apart from damages to be levied upon respondent No.

3.

3. Mr. N.D.Chullai, learned AAG assisted by Ms. R.Colney, learned GA submits that the matter concerns performance of election duty which is no longer relevant as the elections are over, and further that it is an internal departmental matter for which the petitioner can seek redressal before the superior authority.

4. Heard learned counsel for the parties and also perused the letter in question. This Court is not in a position to examine the true veracity of the allegation made in the letter or to issue any mandamus to the parties. It would be in the interest of the petitioner if relief is sought before the superior authority for redressal of the grievances.

5. In this view of the matter, the writ petition is closed and disposed of at this stage leaving the petitioner to seek alternate efficacious remedy.

Judge

Meghalaya
28.02.2023
"Samantha PS"